

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BASALT,  
COLORADO, CHAPTER 16, ZONING, OF THE MUNICIPAL CODE OF THE TOWN OF  
BASALT, COLORADO, AMENDING ARTICLE XXI, RIVERS, WETLANDS AND  
ENVIRONMENTALLY SENSITIVE AREAS, TO ADDRESS FLOODPLAIN  
REGULATIONS IN REACH II OF THE ROARING FORK RIVER**

**Ordinance No. 33  
Series of 2016**

**RECITALS:**

A. The Town of Basalt ("Town") acting by and through its Town Council has the power to amend the Municipal Code of the Town of Basalt ("Town Code") pursuant to state statutes, Section 1.3, Home Rule Charter, and Section 1-58, Town Code, and all such amendments shall become a part of the Town Code.

B. At a public hearing on December 6, 2016, the Planning and Zoning Commission heard evidence and testimony from the Town Staff, and members of the public. The Commission recommended approval of the code amendments on December 6, 2016.

C. At a public hearing on December 13, 2016, the Town Council considered this ordinance for first reading. The Council approved the ordinance on first reading and continued and scheduled a public hearing and second reading of this Ordinance for January 10, 2017 at a meeting beginning no earlier than 6:00 pm at the Basalt Town Hall, 101 Midland Avenue, Basalt, Colorado.

D. At a public hearing and second reading on January 10, 2017, the Town Council heard evidence and testimony from the Town Staff, and members of the public.

E. The Town Council finds and determines that it is in the best interests of the Town to amend the Town Code as provided herein.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Trustees of Basalt, Colorado, as follows:

**A. FINDINGS:**

1. The Flood Insurance Rate maps were revised to reflect the Letter of Map Revision (LOMR) effective November 25, 2016 for panel 406 of 428 for Pitkin County or Panel 931 of 1125 effective November 25, 2016 for Eagle County.

2. The new mapping based on lower flows will reduce the floodplain premiums that many Basalt Business Center properties had been paying due to the fact that much of the Industrial Zoned land in this area had been in a designated floodway

which has now been defined as a floodplain without a floodway. It also reduces barriers to development that have been experienced for those affected by the highly restrictive floodway designation.

3. The new mapping was an extensive endeavor between CDOT and the Town of Basalt and its consultants. Pitkin County and Eagle County also provided significant help at key intervals in the process.

4. The major concession by the parties was reducing the amount of water that would enter the south side of Basalt if the Upper Bypass Bridge encountered significant blockage in a flood event. This involved the Colorado Department of Transportation (CDOT) agreeing to monitor and remove debris at the upper Bypass Bridge. However there is still 1000 cubic feet of water (csf) that is modeled to flow through the south side in a 100-year event.

5. The Town Council finds that it is appropriate to revise the current Reach II Regulations as they affect the Southside to reflect the revised floodplain modeling, CDOT's commitments for the upper By-Pass Bridge, and the new floodplain maps for this area.

**B. NOW, THEREFORE, BE IT ORDAINED** by the Town Council of Basalt Colorado that the following amendments are adopted to the Town Code of the Town of Basalt that Article XXI, Chapter 16 of the Town Code is amended as shown in Exhibit "A"

C. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance and the Town Council hereby declares it would have passed this Ordinance and each part, section, subsection, sentence, clause or phrase thereof regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

D. This Ordinance shall be effective 14 days after final publication of the Ordinance in accordance with the Town Home Rule Charter.

READ ON FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC HEARING TO BE HELD ON January 10, 2017 by a vote of 7 to 0 on December 13, 2016.

READ ON SECOND READING AND ADOPTED, by a vote of 5 to 0 on January 10, 2017.

TOWN OF BASALT, COLORADO

By:   
Jacquie R. Whitsitt, Mayor

ATTEST.

  
Pamela K. Schilling, Town Clerk

Ord 33 Amendments to Article 21- Amended ESA Floodplain

First Publication: Thursday, \_\_\_\_\_  
Final Publication: Thursday, \_\_\_\_\_  
Effective Date: Thursday, \_\_\_\_\_

